

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

Bail Appl..No. 7287 of 2006()  
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CRMP.1180/2006 of SESSIONS COURT, WAYANAD, KALPETTA  
CRIME NO.129/04 OF KAMBALAKKADU POLICE STATION  
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PETITIONER/ACCUSED  
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JAISON, S/O.ULAHANNAN,  
MUNDAPPILAVUNGAL HOUSE, ARICHERMALA P.O.,  
PANAMARAM, WAYANADU DISTRICT.

BY ADV. SRI.A.AHZAR  
SRI.LALJI P.THOMAS

RESPONDENT: COMPLAINANT  
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S.I. OF POLICE,  
KAMBALAKKADU, REP. BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JIA GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 11/12/2006, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**V.RAMKUMAR, J.**

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**B.A.No. 7287 OF 2006**  
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**DATED THIS THE 11TH DAY OF DECEMBER, 2006**

**O R D E R**

Petitioner who is the sole accused in Crime No.129/04 of Kambalakkadu Police Station, subsequently registered for an offence punishable under section 55(a) of the Abkari Act for allegedly found in possession of four liters of a liquid originally suspected to be containing ethyl alcohol and subsequently confirmed to be so on 6.7.2004, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the liquid on chemical examination was confirmed to be containing ethyl alcohol and it was meant for sale. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is dismissed.

V.RAMKUMAR, JUDGE

dsn